

**BEFORE THE MINNESOTA
BOARD OF MEDICAL PRACTICE
COMPLAINT REVIEW COMMITTEE**

In the Matter of
the License of
Fred H. Kravitz, M.D.

Birth Date: 8/4/41
License Number: 20,440

**AGREEMENT FOR
CORRECTIVE ACTION**

This agreement is entered into by and between Fred H. Kravitz, M.D. ("Respondent"), and the Complaint Review Committee of the Minnesota Board of Medical Practice ("Committee") pursuant to the authority of Minn. Stat. § 214.103, subd. 6(a) (1996). Respondent and the Committee hereby agree as follows:

FACTS

1. This agreement is based upon the following facts:

a. On January 16, 1995, patient #1, a 27-year-old woman whose last menstrual period was on November 12, 1994, presented to Meadowbrook Women's Clinic, P.A., for a pregnancy termination.

b. On this date, an ultrasound was performed and was interpreted as showing a twin gestation which coincided with the patient's last menstrual period.

c. During the termination procedure, however, Respondent determined that patient #1 was much further along in her pregnancy than initially determined. Patient #1 was subsequently transferred to Hennepin County Medical Center where she delivered a 22-week-old, stillborn male infant.

d. In his response to the Board, Respondent indicated that although he performed a pelvic examination prior to performing the abortion, it was difficult to palpate any of the pelvic organs due to the patient's obesity. Patient #1's weight was documented as 182 pounds.

e. Even though Respondent could not determine the uterine size during the pelvic examination, he proceeded with the termination procedure without confirming the length of the uterine pregnancy by doing an ultrasound.

2. On September 12, 1997, Respondent met with the Committee to discuss the information set forth in paragraph 1, above.

3. Based on the discussion, the Committee views Respondent's conduct as inappropriate under Minn. Stat. § 147.091, subd. 1(g) and (k) (1996), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify corrective action.

CORRECTIVE ACTION

4. Within three months from the date of this agreement, Respondent shall write and submit to the Committee for approval a paper outlining the use of ultrasound to determine gestational age in an outpatient setting.

5. Upon Respondent's satisfactory completion of the corrective action referred to in paragraph 4, the Committee agrees to dismiss the complaint(s) resulting in the information referred to in paragraph 1. Respondent agrees that the Committee shall be the sole judge of satisfactory completion. Respondent understands and further agrees that if, after dismissal, the Committee receives additional complaints similar to the information in paragraph 1, the Committee may reopen the dismissed complaints.

6. If Respondent fails to complete the corrective action satisfactorily, or if the Committee receives additional complaints similar to the allegations described in paragraph 1, the Committee may, in its discretion, reopen the investigation and proceed according to Minnesota Statutes chapters 147, 214 and 14. Failure to complete corrective action satisfactorily constitutes failure to cooperate under chapter 147. In any subsequent proceeding, the Committee may use as proof of the allegations of paragraphs 1 and 2 Respondent's agreements herein.

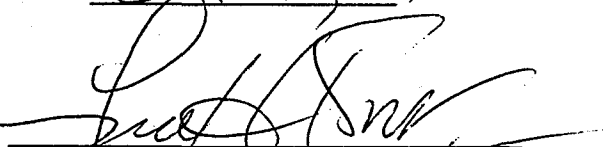
7. Respondent has been advised by Committee representatives that Respondent may choose to be represented by legal counsel in this matter and has chosen Barry G. Vermeer.

8. This agreement shall become effective upon execution by the Committee and shall remain in effect until the Committee dismisses the complaint, unless the Committee receives additional information that renders corrective action inappropriate. Upon receipt of such information, the Committee may, in its discretion, proceed according to Minnesota Statutes chapters 147, 214 and 14.

9. Respondent understands that this agreement does not constitute disciplinary action. Respondent further understands and acknowledges that this agreement and any letter of dismissal are classified as public data.

10. Respondent hereby acknowledges having read and understood this agreement and having voluntarily entered into it. This agreement contains the entire agreement between the Committee and Respondent, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this agreement.

Date: Oct 9, 1997



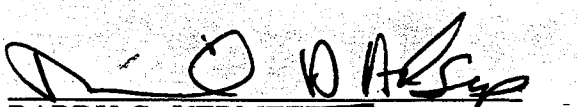
FRED H. KRAVITZ, M.D.
Respondent

Date: 24 Oct 97, 1997



FOR THE COMMITTEE

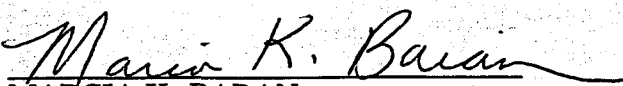
Date: 10/13/97, 1997



BARRY G. VERMEER
Attorney at Law *David D. Alsey*

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Minnetonka, MN 55343-9666
(612) 966-9900

Date: 10/16, 1997



MARCIA K. BARAN
Assistant Attorney General

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October 2, 1997

AFFIDAVIT OF SERVICE BY MAIL

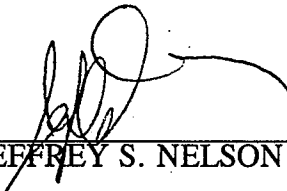
**RE: In the Matter of the License of Fred H. Kravitz, M.D.
License No. 20,440**

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

JEFFREY S. NELSON, being first duly sworn, hereby deposes and says:

That at the City of Saint Paul on October 27, 1997, he served the attached **Agreement for Corrective Action** by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:

DAVID D ALSOP ESQ
OPUS CENTER SUITE 215E
9900 BREN ROAD E
MINNETONKA MN 55343-9666



JEFFREY S. NELSON

Subscribed and Sworn to before me
October 27, 1997.


NOTARY PUBLIC

